

No. 9/8/86-6Lab/2244.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Electro Farmers India, Plot No. 85, Sector 24, Faridabad :—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 643 of 1985.

between

SHRI DUKH HARAN SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S ELECTRO FARMERS INDIA, PLOT NO. 85, SECTOR 24, FARIDABAD.

Present :—

None for the parties.

AWARD

This industrial dispute between the workman Shri Dukh Haran Singh and the respondent-management of M/s Electro Farmers India, Plot No. 85, Sector 24, Faridabad has been referred to this Court by Hon'ble Governor of Haryana,—vide his order No. ID/FD/96-85/40232—37, dated 30th September, 1985 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are:—

Whether the termination of services of Shri Dukh Haran Singh was justified and in order ?
If not, to what relief is he entitled ?

Present none for the parties. The workman was duly served on the last date and was proceeded *ex parte*. It shows that the parties are not interested to pursue this reference. Hence the award is given that the dispute has been fully settled.

Dated the 5th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 626, dated the 26th February, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2245.—In pursuance of the provisions of section 17 of Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Anand Metal Works, Gurgaon :—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 162 of 1985

between

SHRI KESAR DUTTA, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S ANAND METAL WORKS, GURGAON

Present :—

Shri Mahavir Tyagi, for the workman.

Shri S. K. Goswami, for the respondent-management.

AWARD

This industrial dispute between the workman Shri Kesar Dutta and the respondent-management of M/s Anand Metal Works, Gurgaon, has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/GGN/10-85/10566—71, dated 15th March, 1985 under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are:—

Whether the termination of services of Shri Kesar Dutta, was justified and in order ? If no, to what relief is he entitled ?

According to the demand notice, the workman was employed on 10th February, 1984 and his services were illegally terminated on 10th September, 1984. He has claimed for reinstatement with full back wages and continuity of service.

This claim of the workman has been contested by the management. It is alleged that the workman was never employed with the respondent-management. The parties contested the reference on the following issues:—

1. Whether there is no relationship of employer and employee between the parties? (OPM)
2. As per reference? (OPM)

I have heard the representatives of both the parties and gone through the entire evidence. My findings on the issues are as under :—

Issues No. 1 and 2 :—

Both the issues are inter-connected and decided together. The management has produced MW-1 Shri Baldev Sahai. He has brought the wages register, attendance register, ESI register and file. He has stated that the name of the workman has not been entered in the register as he is not employee of the respondent. WW-1 is Steno of the Labour Officer-cum-Conciliation Officer. She has stated that the Labour Inspector had reported that 17 workmen were working in the factory. The name of the workman was not entered in the register of the respondent. The workman has appeared as WW-2 and has stated that he was appointed on 10th January, 1984 and he was illegally terminated on 10th September, 1984. He has not produced any documentary evidence in support of his contentions. WW-3 Shri Subhash Chand has stated that the workman worked in the factory for nine months. He has admitted that his name was entered in the attendance register in the month of April, 1984 to September, 1984. It therefore clearly shows that he never remained posted during this period. Hence he cannot say that the claimant was working there from 10th January, 1984. Similarly Shri Napal cannot be believed when he has stated that he had worked with him for nine months. He also cannot say if the workman was there in the factory in this period. If this statement is stated to be correct even then the workman might have worked for 8/9 months. Hence he has not completed more than 240 days of service. Hence the provisions of Section 25-F of the Industrial Disputes Act, 1947 do not apply. If the contentions of the management is accepted as correct, the workman never worked with the respondent. There is no documentary evidence with the workman that he had worked with the management. I, therefore find that there is no relationship of employer and employee between the parties. Hence there was no question of terminating the services of the workman. The workman is not entitled to any relief.

The award is given accordingly.

Dated the 3rd February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 629, dated the 26th February, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86- 6 Lab/2246.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Surinder Brothers, 104, D.L.F. Mathura Road, Faridabad.

IN THE COURT OF SHRI R.N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 179 of 1985

between

SHRI MOHAN LAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S.
SURENDER BROTHERS, 104, D.L.F., MATHURA ROAD, FARIDABAD

Present :

None, for the parties,

AWARD

This industrial dispute between the workman Shri Mohan Lal, and the respondent-management of M/s. Surrender Brothers, 104, D.L.F., Mathura Road, Faridabad, has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/12144—49, dated 25th March, 1985 under section 10.(i)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Mohan Lal was justified and in order? If not, to what relief is he entitled?

Present none for the parties. Called many a times, Shri Darshan Singh, representative of the workman personally called. He has stated that he has no instructions. It, therefore, shows that the workman is not interested to pursue this reference. Hence the award is given that no dispute is pending between the parties.

Dated the 19th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 633, dated the 26th February, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2247.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Ajit Industries, Plot No. 43E, D. L. F. Area, Mathura Road, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 764 of 1985

between

SHRI MANGI LAL AGGARWAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
M/S AJIT INDUSTRIES, PLOT NO. 43E, D. L. F. AREA, MATHURA ROAD,
FARIDABAD

Present :

Shri Mangi Lal Aggarwal, workman in person.
Shri Vinod Sharma, manager of the respondent-management.

AWARD

This industrial dispute between the workman Shri Mangi Lal Aggarwal and the respondent-management of M/s Ajit Industries, Plot No. 43E, D.L.F. Area, Faridabad, has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/266-85/49298—302, dated 5th December, 1986, under Section 10 (i)(c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Mangi Lal Aggarwal, was justified and in order? If not, to what relief is he entitled?

The workman has settled his dispute with the respondent-management. He has received Rs. 2,000 in full and final settlement of all his claims. He has no right of reinstatement/re-employment with the management. Hence the award is given that the dispute has been fully settled.

Dated the 7th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 639, dated the 26th February, 1986

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2248.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of General Manager, Haryana Roadways, Rewari :—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 624 of 1985

between

SHRI KAILASH CHAND, WORKMAN AND THE RESPONDENT-MANAGEMENT OF
GENERAL MANAGER, HARYANA ROADWAYS, REWARI

Present :

Workman in person.

Shri Randhir Singh, for the management.

AWARD

This industrial dispute between the workman Shri Kailash Chand and the respondent-management of General Manager, Haryana Roadways, Rewari has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/GGN/4-85/40012—18, dated 27th September, 1985, under section 10 (i) (c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Kailash Chand was justified and in order ? If not, to what relief is he entitled ?

According to the statement of the workman he is already on duty with the management. He will file a fresh demand notice to be regularised. Hence the reference is decided as being withdrawn.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Dated the 6th February, 1986.

Endst. No. 642, dated the 26th February, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the I. D. Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2249.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Kare Pvt. Ltd., 13/7, Mathura Road, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER,
LABOUR COURT, FARIDABAD

Reference No. 527 of 1985

between

SHRI SUNDER DEV, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S KARE
PVT., LTD., 13/7, MATHURA ROAD, FARIDABAD

Present :

None, for the workman.

Shri S. P. Rana, for the management.

AWARD

This industrial dispute between the workman Shri Sunder Dev and the respondent-management of M/s Kare Pvt. Ltd., 13/7, Mathura Road, Faridabad, has been referred to this Court, by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/155-84/36983—88, dated 9th September, 1985 under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Sunder Dev was justified and in order? If not, to what relief is he entitled?

The representative of the workman was directed on the last date to produce the workman for admission and denial and the management has alleged that he has settled his dispute. The representative of management has made a statement that the workman has settled the dispute. The workman has received Rs. 3,050.00 in full and final settlement of all his claims. Photo copy of the receipt is Ex. M-1.

In view of this statement, the award is given that the dispute has been fully settled.

Dated the 18th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 643, dated the 26th February, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6 Lab./2250.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Selective Security Services Bureau Pvt. Ltd., Sarswati House, 27, Nehru Place, New Delhi.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER,
LABOUR COURT, FARIDABAD

Reference No. 338 of 1985

between

SHRI KAMLA SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
SELECTIVE SECURITY SERVICES BUREAU PVT. LTD., SARSWATI HOUSE, 27, NEHRU
PLACE, NEW DELHI

Present.—

Shri S. C. Srivastava, for the workman.

None for the respondent-management.

AWARD

This industrial dispute between the workman Shri Kamla Singh and the respondent-management of M/s Selective Security Service Bureau Pvt. Ltd. Sarswati House, 27, Nehru Place, New Delhi has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/101-85/28556-61, dated 9th July, 1985 under Section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Kamla Singh, was justified and in order? If not, to what relief is he entitled?

Present none for the management. The representative of the workman pleads no instructions. It shows that the workman is not interested to pursue this reference. Hence the award is given that no dispute is pending between the parties.

Dated, the 18th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 646, dated the 26th February, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2251.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Apex Auto Industries, Industrial Area, Plot No. 14, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 763 of 1985

between

SHRI PARMOD KUMAR, WORKMAN, AND THE RESPONDENT-MANAGEMENT OF
M/S APEX AUTO INDUSTRIES, INDUSTRIAL AREA, PLOT NO. 14,
*FARIDABAD

Present.—

None, for the parties.

AWARD

This industrial dispute between the workman Shri Parmod Kumar and the respondent-management of M/s Apex Auto Industries, Industrial Area, Plot No. 14, Faridabad has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/198-85/49292--96, dated 5th December, 1985 under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Parmod Kumar, was justified and in order? If not, to what relief is he entitled?

The management has sent a registered letter that the workman has settled his dispute. Photo copy of the settlement has also been received. It, therefore, shows that the workman has settled the dispute and he is not interested to pursue this reference. Hence the award is given that the dispute has been fully settled.

R. N. SINGAL,

Dated the 18th February, 1986.

Presiding Officer
Labour Court, Faridabad.

Endorsement No. 649, dated 26th February, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,
Labour Court, Faridabad.

No. 9/8/86-6Lab./2252.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Bharat Carbon & Ribbon Manufacturing Company Ltd., 66-A, Industrial Area, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 570 of 1985

between

SHRI DHAN SINGH, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S
BHARAT CARBON & RIBBON MANUFACTURING COMPANY LTD.,
66-A, INDUSTRIAL AREA, FARIDABAD

Present.—

Shri Dhan Singh, workman in person.

Shri Naresh Yadav, for the respondent-management.

AWARD

This industrial dispute between the workman Shri Dhan Singh and the respondent-management of M/s Bhaat Carbon and Ribbon Manufacturing Company Ltd., 66-A, Industrial Area, Faridabad, has been referred to this Court by the Hon'ble Governor of Haryana, vide his order No. ID/FD/193-84/38990-95, dated 19th September, 1985 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of the reference are :—

Whether the termination of services of Shri Dhan Singh was justified and in order? If not, to what relief is he entitled?

The workman has settled his dispute with the respondent-management. He has received Rs 729.95 in full and final settlement of all his claims. He has no right of reinstatement/re-employment with the management. Hence the award is given that the dispute has been fully settled. The receipt of payment is Ex. W-1.

Dated the 11th February, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endorsement No. 653, dated the 28th February, 1986.

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

No. 9/9/86-6 Lab/2326.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Ajanta Rubber V. Belt, Uchani, G. T. Road, Karnal.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 554/1983

between

SHRI GANGA PARSHAD GUPTA, WORKMAN AND THE MANAGEMENT
OF M/S THE AJANTA RUBBER V. BELT UCHANI, G.T. ROAD, KARNAL

Present. —

Shri Jang Bahadur for the workman.

Shri O.N. Vadera for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Shri Ganga Parshad Gupta, workman and the management of M/s The Ajanta Rubber V. Belt Uchani, G.T. Road, Karnal for the adjudication to this Tribunal :—

Whether the termination of service of Shri Ganga Parshad Gupta was justified and in order? If not, to what relief is he entitled?

2. Notices were issued to both the parties. It may be mentioned that on the last date of hearing, Shri Jang Bahadur Yadav, representative of the claimant, stated that the claim of the claimant had already been satisfied and the claimant had relinquished his right of reinstatement etc. and that no dispute was now left between the parties. In view of the testimony of Shri Jang Bahadur Yadav, representative of the claimant, the dispute has already been satisfied and the claimant has relinquished his right of reinstatement etc. The award is passed accordingly.

Dated 4th March, 1986.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endst. No. 152, dated 4th March, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 9/9/86-6Lab/2327.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Ajanta Rubber V. Belt Uchani, G.T. Road, Karnal.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 555/1983

between

SHRI RAM BHUJ, WORKMAN AND THE MANAGEMENT OF M/S. AJANTA
RUBBER V. BELT UCHANI, G.T. ROAD, KARNAL.

Present.—

Shri Jang Bahadur Yadav, for the workman.

Shri O. N. Vadera, for the management.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between Sri Ram Bhuj, workman and the management of M/s Ajanta Rubber V. Belt Uchani, G.T. Road, Karnal to this Tribunal for adjudication:—

Whether the termination of service of Shri Ram Bhuj was justified and in order? If not, to what relief is he entitled?

2. Notices were issued to both the parties. It may be mentioned that on the last date of hearing, Shri Jang Bahadur Yadav, representative of the claimant, stated that the claim of the claimant had already been satisfied and the claimant had relinquished his right of reinstatement etc. and that no dispute was now left between the parties. In view of the testimony of Shri Jang Bahadur Yadav representative of the claimant, the dispute had already been satisfied and the claimant has relinquished his right of reinstatement etc. The award is passed accordingly.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated: the 4th March, 1986.

Endst. No. 153, dated 4th March, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.